

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

SETH AXLEY WISHON,)	
)	
Plaintiff,)	
)	
v.)	CV424-058
)	
JACKSON G.D.C.P.,)	
)	
Defendant.)	

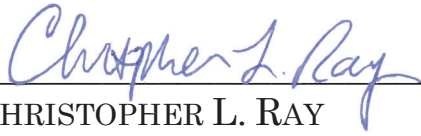
ORDER

Pro se plaintiff Seth Axley Wishon, a prisoner at Coastal State Prison, has filed this 42 U.S.C. § 1983 case alleging that he was subject to unconstitutional conditions at Georgia Diagnostic and Classification Prison (G.D.C.P.) in Jackson, Georgia. *See* doc. 1 at 5-7. He has moved to proceed *in forma pauperis*. Doc. 2. Since it is clear that this Court is not the proper venue for his claims, this case will be transferred. The issue of his filing fee, and whether he will be permitted to proceed IFP, will be resolved by the transferee court. *Cf., White v. Lemma*, 947 F.3d 1373, 1378-79 (11th Cir. 2020) (failure to pay the required filing fee is not a jurisdictional defect).

Georgia Diagnostic and Classification Prison is located in Jackson, Georgia, in Butts County. Butts County lies in the Middle District of Georgia. *See* 28 U.S.C. § 90(b)(2). As Wishon’s allegations concern events that occurred exclusively in another district, the proper forum for this case is the United States District Court for the Middle District of Georgia. 28 U.S.C. §1391(b) (venue); 28 U.S.C. § 1406 (district courts may dismiss or transfer cases suffering venue defects); *see also, e.g., Collins v. Hagel*, 2015 WL 5691076, at *1 (N.D. Ga. Sept. 28, 2015) (“A district court may raise the issue of defective venue *sua sponte*.”).

Accordingly, the Clerk is **DIRECTED** to transfer this case to the Middle District of Georgia for all further proceedings.

SO ORDERED, this 2nd day of April, 2024.



CHRISTOPHER L. RAY
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA